

REMARKS

These Remarks are in reply to the Office Action mailed December 5, 2006.

Currently, claims 1-18, 22-26, 29-33, and 37-41 are pending. Applicants have amended claims 1-18, 22-26, and 29-33, cancelled claims 19-21, 27, 28, and 34-36, and added new claims 37-41. Applicant respectfully requests reconsideration of claims 1-18, 22-26, 29-33, and 37-41.

I. Rejection of Claims 1-9, 12, 14, 15, 22, 23, and 29-31 Under 35 U.S.C. §102(b)

Claims 1-9, 12, 14, 15, 22, 23, and 29-31 have been rejected under 35 U.S.C. §102(b) as being anticipated by Chang (US 6,314,430). Because Chang does not disclose all of the limitations of claims 1-9, 12, 14, 15, 22, 23, and 29-31, Applicant asserts that the claims are patentable over the cited prior art.

Claim 1 is not anticipated by Chang because Chang does not disclose “automatically modifying... existing code.” Instead, Chang discloses that “a task requiring access to a database uses an object-oriented class to enable one database connection for the duration of the task, avoiding multiple and concurrent database connections” (col. 3, lines 15-18). A server machine 150 contains the components necessary to perform these functions as follows:

Server machine 150 includes JDBC™ for passing SQL statements to DBMS 122. Server machine 150 also includes the present invention, Database class 180, which defines a plurality of Database class methods 182. When Database class 180 is instantiated, Database object 200 is created and thereafter provides an interface for accessing database 124 (col. 4, lines 25-30 and Fig. 2).

Accessing a database is disclosed, however Chang does not disclose that this occurs through “automatically modifying... existing code.” Because the cited prior art does not disclose “automatically modifying... existing code,” the reference does not anticipate claim 1. Claims 2-9, 12, 14, 15, 22, 23, and 29-31 and new claims 37-42 are distinguishable over the prior art for the same reasons as claim 1. Applicant respectfully requests reconsideration of these claims.

New claims 37-41 are patentable over the prior art for the same reasons as claim 1.

II. Rejection of Claims 10, 11, 13, 16-18, 24-26, 32, and 33 Under 35 U.S.C. §103(a)

Claims 10, 11, 13, 16-18, 24-26, 32, and 33 have been rejected under 35 U.S.C. §103(a) as being obvious over Chang in view of Ibert (US 2003/0195997 A1). Because the cited prior art, alone or in combination, does not teach or suggest all of the limitations of the rejected claims, Applicant asserts that the claims are in condition for allowance.

Chang, as discussed above, does not disclose “automatically modifying... existing code,” as recited in claim 1. Claims 10, 11, 13, 16-18, 24-26, 32, and 33 all contain a similar feature. Additionally, Ibert does not teach or suggest this feature. Instead, Ibert discloses creating a connector in an object-oriented system used to bridge a middleware application and an Enterprise Java Bean API, yet no automatic modification of “existing code” is disclosed. Therefore, the combination of Chang and Ibert does not disclose, teach, or suggest all of the limitations of claims 10, 11, 13, 16-18, 24-26, 32, and 33. Applicant respectfully requests reconsideration of these claims.

Based on these remarks, reconsideration of claims 1-18, 22-26, 29-33, and 37-41 is respectfully requested.

The Examiner’s prompt attention to this matter is greatly appreciated. Should further questions remain, the Examiner is invited to contact the undersigned agent by telephone.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 501826 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

Date: March 29, 2007 By: /Michelle Esteban/
Michelle Esteban
Reg. No. 59,880

VIERRA MAGEN MARCUS & DENIRO LLP
575 Market Street, Suite 2500

San Francisco, California 94105-4206
Telephone: (415) 369-9660
Facsimile: (415) 369-9665